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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,733	09/22/2003	Hiroki Mitsumoto	031170	4668
23850 7590 11/26/2008 KRATZ, QUINTOS & HANSON, LLP 1420 K Street, N.W. Suite 400 WASHINGTON, DC 20005			EXAMINER SHAIKH, MOHAMMAD Z	
			ART UNIT 3696	PAPER NUMBER
			MAIL DATE 11/26/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/665,733

**Applicant(s)**

MITSUMOTO ET AL.

**Examiner**

MOHAMMAD Z. SHAIKH

**Art Unit**

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF 298)  
Paper No(s)/Mail Date \_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

**DETAILED ACTION**

1 This Office Action is in response to an AMENDMENT entered on 08/04/08 for patent application 10,665,733.

***Status of Claims***

2. Claims 1-17 are pending in this application.

***Claim Rejections- 35 U.S.C § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 11-13, 15-16 are being rejected under 35 U.S.C 102(b) as being anticipated by U.S Patent 6,321,213 to Ito et al, herein referred to as Ito.

Regarding claim 1, Ito discloses Ito electronic money remittance method performed by a server, the server being operatively coupled to terminals (Abstract; Fig 2; Column 4: 23-28); the method being a method for remitting electronic money from a first user to a storage means storing electronic money of a second user (column 3: lines 25-37), the method comprising: receiving predetermined remittance order information from a terminal for use by the first user (Fig 1: 6,110; Fig 6); generating a script for depositing an electronic money amount equivalent to the remittance in the storage means of the second user based on the remittance order information (column 6, lines 37-41), and subtracting the amount equivalent to the remittance from a predetermined

account balance related to the first user (column 9, lines 36-40); transmitting the script to a terminal, for use by the second user (column 3: line 63; column 4: lines 23-28); receiving a remittance instruction transmitted from the terminal for use by the second user as a consequence that the script received by the terminal for use by the second user is executed by said terminal (column 4: lines 23-28); and depositing an electronic money amount equivalent to the remittance by accessing the storage means of the second user connected to the terminal for use by the second user according to the remittance instruction, and adding the amount equivalent to the remittance to an electronic money management account balance related to the electronic money stored in the storage means of the second user (column 5: lines 58-66).

Regarding claim 2, Ito discloses the electronic money remittance method according to claim 1, wherein an electronic money balance stored in be storage means of each user is managed in the electronic money management account either separately on a per storage means basis or collectively (column 1, lines 59-67; column 2, lines 27-43).

Regarding claim 3, Ito discloses the electronic money remittance method according to claim 1, wherein, an electronic money account due for remittance is opened (Fig 2:2102); the remittance amount subtracted from a predetermined account balance of the first user is transferred to the electronic money account due for remittance (column 9, lines 36-40) ; and according to the remittance instruction, the remittance is transferred from the electronic money account due for remittance to the electronic money management account (column 5: lines 58-66; column 6, lines 1-13).

Regarding claim 4, Ito discloses the electronic money remittance method according to claim 1, wherein, the electronic money remittance method according to claim 1, wherein, when the first user owns a storage means storing electronic money, an electronic money amount equivalent to the remittance is subtracted from the electronic money management account balance related to the electronic money stored in said storage means of the first user; and further, the storage means of the first user connected to the terminal for use by the first user is accessed, and an electronic money amount equivalent to the remittance is paid out from said storage means (column 9, lines 36-40).

Claim 11 is being rejected using the same rationale as claim 1.

Claim 12 is being rejected using the same rationale as claim 1.

Claim 13 is being rejected using the same rationale as claim 1.

Claim 15 is being rejected using the same rationale as claim 1.

Regarding claim 16, Ito discloses the electronic money remittance method according to claim 1, wherein the predetermined account balance related to the first user comprises a bank account (col 9: 37-40).

**Claim Rejections- 35 U.S.C § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-8 are being rejected under 35 U.S.C 103(a) as being unpatentable over Ito in view of US 2001/0027435 to Asano et al, herein referred to as Asano.

Regarding claim 6, Ito discloses the electronic money remittance method according to claim 1. However Ito does not disclose wherein the storage means is an IC card. Asano discloses wherein the storage means is an IC card (paragraphs: 0032, 0033). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ito's invention to include the storage means an IC card. One of ordinary skill in the art would have been motivated to include the storage means as an IC card in order to ensure that the users have the ability to transfer money by all different means.

Regarding claim 7, Ito discloses the electronic money remittance method according to claim 6. However Ito does not disclose wherein the remittance order information includes identification information of the IC card of the second user, and the remittance amount. Asano discloses wherein the remittance order information includes identification information of the IC card of the second user, and the remittance amount (paragraphs: 0037, 0043). Therefore it would have been obvious to one of ordinary skill

in the art at the time of the invention to modify Ito's invention to include wherein the remittance order information includes identification information of the IC card of the second user, and the remittance amount. One of ordinary skill in the art would have been motivated to include remittance order information which includes identification information of the IC card of the second user, and the remittance amount in order to ensure that the entire remittance process runs efficiently.

Claim 8 is being rejected using the same rationale as claim 7.

6. Claims 9-10, 17 are being rejected under 35 U.S.C 103(a) as being unpatentable over Ito in view of Asano and further in view of US 2001/0034725 to Park et al, herein referred to as Park.

Regarding claim 9, Ito discloses the electronic money remittance method according to claim 7. However Ito does not disclose wherein, the identification information of the IC card of the second user is an electronic-mail address of the second user; and the electronic money system includes a mapping table between the IC card number of each user and the electronic mail address, and obtains the IC card number of the second user based on said mapping table. Park discloses the identification information of the IC card of the second user is an electronic-mail address of the second User (paragraphs: 0021). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ito's invention to include wherein the identification information of the IC card of the second user is an electronic-mail address of the second user. One of ordinary skill in the art would have been motivated to

include wherein the identification information of the IC card of the second user is an electronic-mail address of the second user in order to ensure that the entire remittance process runs efficiently. Park discloses the electronic money system includes a mapping table between the IC card number of each user and the electronic mail address, and obtains the IC card number of the second user based on said mapping table (Figs: 1,2). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ito's invention to include a mapping table between the IC card number of each user and the electronic mail address, and obtains the IC card number of the second user based on said mapping table. One of ordinary skill in the art would have been motivated to include a mapping table between the IC card number of each user and the electronic mail address, and obtains the IC card number of the second user based on said mapping table in order to ensure that an accurate record is maintained for users.

Regarding claim 10, Ito discloses the electronic money remittance method according to claim 1. However Ito does not disclose wherein the script is attached to an electronic mail and transmitted for use by the second user. Park discloses the electronic money remittance method according to claim 1 (paragraph: 0044). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ito's invention to include a script that is attached to an electronic mail and transmitted for use by the second user. One of ordinary skill in the art would have been motivated to include a script that is attached to an electronic mail and transmitted for

use by the second user in order to ensure that the entire remittance process runs efficiently.

Regarding claim 17, Ito discloses the electronic money remittance method according to claim 1. However Ito does not disclose wherein the predetermined account balance related to the first user comprises a credit account. Asano discloses wherein the predetermined account balance related to the first user comprises a credit account ([0041], [0044]). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ito's invention to include wherein the predetermined account balance related to the first user comprises a credit account. One of ordinary skill in the art would have been motivated to include wherein the predetermined account balance related to the first user comprises a credit account in order to ensure that all types of payment options are available to the user.

7. Claim 5, 14 are being rejected under 35 U.S.C 103(a) as being unpatentable over Ito in view of us 2001/0034725 to Park et al, herein Park.

Regarding claim 5, Ito discloses the electronic money remittance method according to claim 1. However Ito does not disclose, wherein, when the first user does not own any storage means storing electronic money, an amount equivalent to the remittance is subtracted from a bank account balance of the first user. Park discloses when the first user does not own any storage means storing electronic money, an amount equivalent to the remittance is subtracted from a bank account balance of the first user (paragraphs: 0005; claim 3). Therefore it would have been obvious to one of

ordinary skill in the art at the time of the invention to modify Ito's invention to include a feature, when the first user does not own any storage means storing electronic money, an amount equivalent to the remittance is subtracted from a bank account balance of the first user. One of ordinary skill in the art would have been motivated to include a feature, when the first user does not own any storage means storing electronic money, an amount equivalent to the remittance is subtracted from a bank account balance of the first user in order to ensure that the entire remittance process runs efficiently

Regarding claim 14, Ito discloses a terminal for use by a first user, performing a processing for electronic money remittance from the first user to a storage means of a second user (column 3, lines 25-37). However Ito does not disclose a display-unit which displays a remittance order information generation screen for remitting electronic money; and a communication section which transmits through a network the remittance order information generated according to the remittance order information generation screen to-an electronic money server managing electronic money of each user. Park discloses a display-unit which displays a remittance order information generation screen for remitting electronic money (paragraph: 0041); and a communication section which transmits through a network the remittance order information generated according to the remittance order information generation screen to-an electronic money server managing electronic money of each user (paragraphs: 0043,0044). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ito's invention to include a display-unit which displays a remittance order information generation screen for remitting electronic money; and a communication

section which transmits through a network the remittance order information generated according to the remittance order information generation screen to-an electronic money server managing electronic money of each user. One of ordinary skill in the art would have been motivated to include a display-unit which displays a remittance order information generation screen for remitting electronic money; and a communication section which transmits through a network the remittance order information generated according to the remittance order information generation screen to-an electronic money server managing electronic money of each user in order to ensure that the entire remittance process runs efficiently.

***RESPONSE TO ARGUMENTS***

Applicant's arguments with respect to amended claims 1, 2, 10, 11, 13 have been fully considered but are not persuasive.

On page 10 of Applicant's response, applicant argues that with regards to claims 1-4, 11-13, 15 Ito does not teach "subtracting the amount equivalent to the remittance from a predetermined account balance related to the first user. Ito however does teach this limitation (column 9, lines 36-40). It is inherent that when the electronic money is transferred to the bank account of the remitting party, that the balance of the account the sending party is updated to reflect the funds coming out of their account. Applicant further argues that the words "bank" and "credit" do not appear anywhere in the text of the Ito patent. However in Ito (column 9, lines 36-40), a bank account is indeed disclosed. Asano (US 2001/0027435) discloses a credit account ([0041], [0044]). Applicant further argues that a terminal and server are not disclosed in Ito. Ito discloses a terminal (column 4, 23-28). A terminal is any device that enables a computer to receive or deliver data. Hence the input/output device disclosed in Ito (col 4, lines 23-28) can be a terminal. Applicant further argues that Ito does not disclose "sending the script; does not execute the script to receive remittance instruction; and does not balance the bank account of the electronic money. However in Ito (column 6, lines 37-41), this limitation is disclosed. Therefore, in view of the above reasons, Examiner maintains the rejections.

### CONCLUSION

Applicant's amendment necessitate the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD Z. SHAIKH whose telephone number is (571)270-3444. The examiner can normally be reached on Monday-Friday (7:30-5); alt Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. Z. S./  
Examiner, Art Unit 3696  
11/21/2008

Mohammad Z Shaikh  
Examiner  
Art Unit 3696

**/Daniel S Felten/**

**Primary Examiner, Art Unit 3696**